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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,619	03/18/2004	Jordi Albornoz	ROC920030418US1	5888
7590 04/08/2008 William J. McGinnis, Jr. IBM Corporation, Dept. 917 3605 Highway 52 North Rochester, MN 55901-7829				
EXAMINER PESIN, BORIS M				
ART UNIT 2174		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/803,619

**Applicant(s)**

ALBORNOZ ET AL.

**Examiner**

BORIS PESIN

**Art Unit**

2174

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4-12, 14-23 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-12, 14-23, and 25-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This communication is responsive to the amendment filed 12/31/2007.

Claims 1, 2, 4-12, 14-23, and 25-29 are pending in this application.

Claims 1, 12, 22, 25, and 28 are independent claims. In the amendment filed 12/31/2007, Claims 1, 4, 5, 12, 22, 25, and 28 were amended. This action is made Final.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-12, 14, 15, 17-23, and 25-29 are rejected under 35

U.S.C. 102(e) as being anticipated by Rivette et al. (US 6877137).

As per claim 1, Rivette discloses of exchanging information between entities on a network by establishing a client/server network architecture of sending communication objects between two peers (Rivette column 14 lines 42-67 and column 15 lines 1-4). In particular, "identifying a plurality of data elements capable of being instantiated by a plurality of applications on the network and to which global annotations may be anchored" by identifying data objects to which

Art Unit: 2174

annotations can be attached and all data objects being able to be processed by a multitude of applications (Rivette column 7 lines 45-67 and column 8 lines 1-7); "providing one or more interfaces for creating global annotations anchored to a selected one or more of the identified data elements" by having an interface for creating annotations (Rivette column 11 lines 56-65), "wherein a first one of the interfaces for creating global annotations is accessible from a first application capable of instantiating identified data elements in a first type of document" by creating an annotation by highlighting and selecting a portion of the document to annotate using one application (Rivette column 32, section labeled 6.2 Create a Note/Sub-note (From the File Menu), lines 21-67 and continuing to column 33 lines 1-67 and continuing further to column 34 lines 1-31); "providing one or more interfaces for viewing, from one or more applications, the global annotations" by having an interface for viewing annotations (Rivette column 11 lines 56- 65), "wherein a first one of the interfaces for viewing the global annotations is accessible from a second application capable of instantiating identified data elements in a second type of document different than the first type of document" by viewing an annotation by selecting a linking button in a web page with another application (Rivette column 35 lines 37-67 and continuing to column 36 lines 1-31).

As per claim 2, the rejections of claim 1 are incorporated and Rivette further discloses "at least one application for creating graphical user interfaces" by implementing a user interface with any user interface tools, approaches, techniques, and/or applications (Rivette column 26 lines 3-8).

As per claim 4, the rejections of claim 1 are incorporated and Rivette further discloses "at least one of the first and second applications comprise a data analysis application" by having a functionality of processing the data object with spreadsheet applications (Rivette column 8 lines 1-7).

As per claim 5, the rejections of claim 1 are incorporated and Rivette further discloses "at least one of the first and second applications comprise a text editor" by having a functionality of processing the data object with word processing applications (Rivette column 8 lines 1-7).

As per claim 6, the rejections of claim 1 are incorporated and Rivette further discloses "adding entries to a registry for each of the identified data element" by placing a data object into a notes database (Rivette column 29 lines 25-33 and lines 53-57).

As per claim 7, the rejection of claim 6 is incorporated and Rivette further discloses "parsing data loaded by the second application into discrete data elements" by parsing data objects into note repository object, note object, sub-note object, content object and anchor object (Rivette column 29 lines 25-33); "searching the registry for entries corresponding to the discrete data elements" by supporting search functionality for user supplied search criteria (Rivette column 29 lines 6-9).

As per claim 8, the rejection of claim 1 is incorporated and Rivette further discloses "selecting an annotation structure associated with a selected annotatable data element" by having 'a structure where a new note object in the database is added to a note repository object by a note engine (Rivette column

35 lines 2-9); "generating a graphical user interface based on the selected annotation structure" by displaying a user interface along with the new note created (Rivette column 35 lines 13-16).

As per claim 9, the rejection of claim 1 is incorporated and Rivette further discloses "allowing a user to view details regarding the context in which a global annotation was created" by having a properties menu accessible in the view menu where details of the note can be accessed (Rivette column 39 lines 5-8).

As per claim 10, the rejection of claim 9 is incorporated and Rivette further discloses "providing a link to a document containing a data element to which the global annotation is anchored" by having links between the annotation and the document to which it is anchored (Rivette column 18 lines 28-33).

As per claim 11, the rejection of claim 1 is incorporated and Rivette further discloses "identifying categories of data elements to which global annotations may be anchored" by allowing a user to categorize all data with which annotations are instantiated (Rivette column 11 lines 56-65).

As per claim 12, Rivette discloses of creating global annotations by "loading a first set of data with a first application" through storing information that has been identified through a document into a database (Rivette column 33 lines 41-42); "identifying one or more data elements contained in the first set of data to which global annotations can be anchored" by storing the data object from a selected portion of the document (Rivette column 33 lines 49-51); "providing a first interface allowing a user to create a global annotation for a selected one of the identified data elements" by having a user interface that allows for linking the

data to a portion of the document (Rivette column 33 lines 20-30); "providing a second interface allowing a user to view the global annotation from within a second application loading a second set of data containing the selected data element for which the global annotation was created" by allowing a user to view an annotation from another web application (Rivette column 18 lines 34-42); and "storing the global annotation created via the first interface in an annotation store, wherein the global annotation is anchored to the selected data element" by storing all the data object in the note information database (Rivette column 33 lines 60-64).

As per claim 14, the rejection of claim 12 incorporated and Rivette further discloses "the global annotation is anchored to the selected data element via association with a global identifier generated for the selected data object" by a note engine identifying an application with which the annotation is associated with (Rivette column 33 lines 44-46).

As per claim 15, the rejection of claim 12 is incorporated and claim 15 contains the same limitations as claim 7 and is rejected under the same rationale as set forth in connection with claim 7.

As per claim 17, the rejection of claim 12 is incorporated and Rivette further discloses "highlighting, in the loaded data, the identified data elements to which global annotations can be anchored" by highlighting portions of the document to select which portions need to be annotated (Rivette column 12 lines 14-16).

As per claim 18, the rejection of claim 17 is incorporated and Rivette further discloses "the identified data elements comprise data elements from different categories" by having the data stored in the object to be in any format or combination of formats (Rivette column 16 lines 27-30); "the highlighting comprises highlighting data elements from different categories with different colors" by allowing the user to choose what colors belong to what categories (Rivette column 11 lines 14-16).

As per claim 19, the rejection of claim 12 is incorporated and claim 19 contains the same limitations as claim 9 and is rejected under the same rationale as set forth in connection with claim 9.

As per claim 20, the rejection of claim 19 is incorporated and Rivette further discloses "an indication of the loaded data containing the selected data element to which the global annotation is anchored" by having an option to display the sub-notes page showing all the sub- notes that have been created (Rivette column 22 lines 41-51).

As per claim 21, the rejection of claim 19 is incorporated and Rivette further discloses "a link to a document containing the selected data element to which the global annotation is anchored" by supplying the link to the page that the sub-note is linked to (Rivette column 22 lines 50-51).

As per claim 22, claim 22 contains the same limitations as claims 1, 12, and 20 and is rejected under the same rationale as set forth in connection with claims 1, 12, and 20.



As per claim 23, the rejection of claim 22 is incorporated and Rivette further discloses "providing an indication of the identified data elements comprises displaying an icon proximate the identified data elements" by having a linking button next to the sub-note in the page (Rivette column 23 lines 27-34); "the interface is accessible by selecting the icon" by clicking the linking button which brings up the sub-note text interface (Rivette column 23 lines 52-57).

Claim 25 is similar in scope to claim 1; therefore it is rejected under similar rationale.

As per claim 26, the rejection of claim 25 is incorporated and claim 26 contains the same limitations as claim 6 and is rejected under the same rationale as set forth in connection with claim 6.

As per claim 27, the rejection of claim 25 is incorporated and claim 27 contains the same limitations as claim 8 and is rejected under the same rationale as set forth in connection with claim 8.

As per claim 28, Rivette discloses "an annotation database for storing the global annotations" which contains the same limitations as claim 12 and is rejected under the same rationale as set forth in connection with claim 12; "one or more applications capable of loading data containing one or more data elements to which one or more global annotations are anchored" by allowing data objects contained in documents to be associated with multiple applications (Rivette column 19 lines 21-22), "wherein the system allows a global annotation created from a first application to be viewed from a second application instantiating a data element to which the global annotation is anchored" (Rivette

Art Unit: 2174

column 18 lines 34-42); "a set of plug-in components, each for interfacing between one or more of the applications and an annotation server" by having interaction between applications and the applications being used as plug-ins (Rivette column 12 lines 17-21 and lines 39-42); "an annotation server configured to receive, via the plug-in components, requests from the applications to access global annotations anchored to one or data elements instantiated by the applications" by allowing communication between client and server for processing annotations (Rivette column 15 lines 58-67 and column 16 lines 1 - 10).

As per claim 29, the rejection of claim 28 is incorporated and claim 29 contains the same limitations as claim 6 and is rejected under the same rationale as set forth in connection with claim 6.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al. U.S. Patent Number 6,877,137 (hereinafter Rivette) and further in view of Bargerion et al. U.S. Patent Application Publication Number US 2004/0205542 A1 (hereinafter Bargerion).

As per claim 16, the rejection of claim 15 is incorporated but Rivette does not disclose, "applying a hashing function to portions of the loaded data". However, Bargerion teaches "applying a hashing function to portions of the loaded data" by taking hash values near a user initiated mark and hashing each paragraph near the mark (Bargerion page 12 [0105] lines 15-16, and 20-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the hashing function of Bargerion with the annotation system of Rivette. One of ordinary skill in the art would have been motivated to do so because having a hashing function would allow for implicit region identification (Bargerion page 12 [105] lines 5- 7).

#### ***Response to Arguments***

Applicant's arguments filed 12/31/2007 have been fully considered but they are not persuasive.

In regards to the Applicant's argument that Rivette does not teach viewing the annotation from separate interfaces (See middle pf page 9 of response), the Examiner respectfully disagrees. The Examiner points the Applicant to Figure 5 of Rivette where one can clearly see three applications accessing an interface.

Thus the claim limitations are met because the claims require two applications but only one interface. Furthermore, each of the applications can be considered its own separate interface. The Applicant further argues that the secondary application is a separate kind (multiple type) of application, however this limitation is not recited in the claim language, and thus that argument is moot.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. P./  
Examiner, Art Unit 2174

/David A Wiley/  
Supervisory Patent Examiner, Art Unit 2174